

H.R. 3266--The Faster and Smarter Funding For First Responders Act

Status: An amendment in the nature of the substitute to H.R.3266 offered by Chairman Christopher Cox(R-CA) and Rep. Jim Turner (D-TX) passed unanimously out of the Homeland Security Committee's Subcommittee on Emergency Preparedness and Response on November 20, 2003.

Features of H.R. 3266

- **Streamlines and speeds homeland security grant-assistance to first responders.**
- **Ensures priority assistance to first responders serving where the risk is greatest.**
- **Funds actual needs: An expert task force will advise the Secretary of Homeland Security on what capabilities different communities need to prepare for potential terrorist acts.**
- **Enables *regions* having shared needs to apply for homeland security grants.**
- **Preserves all pre-9/11 federal grants available to support first responders.**

First Responder Grant Program

- ✓ H.R. 3266, the “*Faster and Smarter Funding for First Responders Act*,” creates a homeland security-related First Responder Grant Program administered by the Secretary of Homeland Security through the Department’s Office for Domestic Preparedness.
 - Federal grant programs that existed prior to 9/11 to enhance traditional missions of state and local law enforcement, firefighting, emergency medical services, and public health services are not affected by the legislation.
- ✓ First Responder grants will support “emergency response providers,” as defined in the Homeland Security Act (*i.e.*, firefighters, law enforcement personnel, and emergency medical service personnel), in meeting their homeland security-related (*post*-9/11) obligations.
- ✓ Funding to fulfill the terrorism preparedness needs of First Responders has increased more than 1000% since 9/11.
- ✓ Total funding to fulfill both terrorism preparedness needs and traditional needs of First Responders has totaled more than \$18 billion dollars since 9/11.
- ✓ H.R. 3266 creates a “one-stop shop” for first responder grant assistance in the Department’s Emergency Preparedness and Response (EP&R) Directorate – facilitating better coordination with other grant-making agencies (such as FEMA) that are in the EP&R Directorate.

Essential Capabilities

- ✓ Following extensive consultation, and with the expert guidance of a Task Force on Essential Capabilities, the Under Secretary for Emergency Preparedness and Response will promulgate clearly defined “essential capabilities” for State and local emergency preparedness and response.

- H.R. 3266 defines “essential capabilities” as the levels, availability, and competence of emergency personnel, planning, training, and equipment across a variety of disciplines needed to effectively and efficiently prevent, prepare for, and respond to terrorist acts.
- The bill establishes a 25-member Task Force on Essential Capabilities for First Responders, made up of a cross section of first responder disciplines, including State and local officials from both rural and urban areas, as well as .
- ✓ Threat, vulnerability, and consequence variables with respect to population and critical infrastructure, based on the most current risk assessments by the Information Analysis and Infrastructure Protection Directorate, will be key factors in developing these essential capabilities.
 - The Secretary will provide the Department’s final list of essential capabilities to the States.

Application, Evaluation and Grant Distribution

- ✓ Both States and regions are eligible to apply for homeland security grant assistance.
 - “Regions” include a geographic area consisting of all or parts of two or more government entities that have combined populations of at least 1.65 million (the size of the top 20 metropolitan areas in the United States), or have an area of at least 20,000 square miles.
 - The Secretary and a governor could also agree to designate some other area a “region.”
- ✓ Applicants must, *e.g.*, specify how they will use the funds and include a budget.
 - Examples of allowable uses of funds include the purchase or upgrading of equipment, exercises to improve emergency response, training for potential attacks involving weapons of mass destruction, improving mechanisms for sharing terrorism threat information, and personnel costs directly attributable to increases in the national threat level.
 - Applicants must describe how the grant would assist in meeting the essential capabilities needs identified in the applicable State homeland security plan or plans.
- ✓ A Board consisting of the Department’s Under Secretaries will evaluate and prioritize grant applications based on the degree to which providing the requested funding would improve the applicant’s – and thereby the nation’s – essential capabilities.
- ✓ State recipients of grant funding have 45 days to pass at least 80 percent of the grant funds on to local governments and first responders, in accordance with the State plan.
 - States that fail could, at the Secretary’s discretion lose their 20 percent retained portion.
 - All grant recipients will have a 25% matching requirement (may be matched in-kind).

Establishing Standards

- ✓ H.R. 3266 requires the Undersecretary for Science and Technology and the Undersecretary for Emergency Preparedness and Response to develop national standards for equipment and training.

- In establishing such standards, the Under Secretaries must consult public and private sector standard-setting organizations such as the National Institute of Standards and Technology, the National Fire Protection Association, and the American National Standards Institute.